

## REAPPORTIONMENT BILL IN THE HOUSE.

Reported By Chairman Hopkins,  
of Committee on Census.

### HE CITES TWO PRECEDENTS.

Mr. Crumpacker, of Indiana, in favor of  
Reducing Representation in Southern  
States—The Minority Report Declares In  
Favor of a House With 386 Members,  
and That All States Should Be Treated  
Alike—Mr. Crumpacker Attacks South  
In an Independent Report.

(By Telegraph to Virginian-Pilot.)  
Washington, D. C., Dec. 20.—Representative Hopkins, chairman of the committee on census, today filed in the House the majority report on the reapportionment bill reported by his committee, fixing the membership of the House for the next decade at 357.

Representative Burleigh, of Maine, filed a minority report, signed by six members, in favor of a House to be composed of 386 members.

**THE SOUTH ATTACKED.**  
Representative Crumpacker, of Indiana, who signed the Burleigh report, also submitted an independent report in favor of reducing the representation in the Southern States to the extent of the abridgment of the suffrage. His independent report favors a House to be composed of 374 members.

### PRECEDENTS FOR LOSS OF SEATS.

Mr. Hopkins, in the majority report, cites many instances to show that the loss of seats by States under reapportionment bills was not uncommon. Massachusetts, for instance, which, under the third census had twenty members, was reduced to ten under the sixth, seventh and eighth, and Virginia, which had twenty-three in the third, had but nine under the ninth. The report says the committee followed the plan adopted under the sixth census and followed continuously since. It has the sanction and approval of sixty years of national existence.

### THE PLAN.

The plan is to divide the constitutional population by 357, the proposed membership. The quotient, 268,868, is the ratio of representatives of population. This ratio, applied to the population of each State, will yield in the aggregate a number somewhat less than 357, the number determined upon as the membership of the House.

### DIFFERENCE MADE UP.

The difference is made up by assigning to the States having the largest major fractions additional representatives until a sufficient number have been assigned to bring the total up to 357. A membership of more than 357 the report says would make the House unwieldy. The minority report is signed by Messrs. Burleigh, Russell, Hentz, Crumpacker, Griffith and Wilson.

### THE HOPKINS BILL.

Referring to the Hopkins apportionment bill, the minority report says: "The anomalous character of this proposed apportionment as well as its obvious injustice is clearly demonstrated by the fact that it is necessarily based, in part, upon major fractions, and yet Colorado with a majority fraction of 121,267; Florida, with a majority fraction of 110,897, and North Dakota, with a majority fraction of 105,586, do not receive a representative based upon such majority fraction, while every other State with a majority fraction receives a representative for such majority fraction."

**TREAT THE STATES ALIKE.**  
We believe that every State should be treated alike with reference to its majority fraction, as no valid reason has been or can be assigned for the discrimination between them. We also believe that in the new apportionment no State should lose a representative. We therefore recommend a House consisting of 386 members.

In reaching this number we have adopted the method used by the committee and have followed the precedent established by the House in 1872, when the House added to the whole number of representatives a representative each for the States of New Hampshire and Florida by reason of the fact that they had a majority fraction after the whole number of representatives had been apportioned.

### THE COMPUTATION.

We take the computation based upon 384 representatives upon a ratio of one representative for every 184,182 of population. Nebraska, with a majority fraction of 97,629, and Virginia, with a majority fraction of 106,346, each lose a representative and get no representative for the majority in either case.

### MR. CRUMPACKER'S REPORT.

The independent report of Mr. Crumpacker goes exhaustively into the abridgment of the right of suffrage in the Southern States. He quotes the Fourteenth Amendment to the Constitution providing that when the right to vote is abridged, except for participation in rebellion or other crimes, the representation shall be reduced in such States in proportion to such abridgment. "Congress in this matter," Mr. Crumpacker says, "must take cognizance of current history and of facts disclosed by current history and of facts disclosed by official records. There is not a member of either house of Congress who does not know to a moral certainty that by a direct operation of law the States of Louisiana, Mississippi, North Carolina and South Carolina have disfranchised sufficient numbers of citizens to deprive each of them of several representatives; they would otherwise be entitled to, to say nothing of the largely increased suppression of votes caused by unfair partisan administration of the laws. The

question is, will Congress make an apportionment of representatives according to the plain requirements of the Constitution, or will it ignore those requirements and act according to its arbitrary will?"

### LOUISIANA.

Mr. Crumpacker then takes up the constitution of Louisiana, and adduces figures to show that in that State 43.47 per cent. of the citizens are disfranchised. The representation should, therefore, he argued be reduced from seven to four. In North Carolina, for the same reason, he figures that the representation should be reduced from nine to six; in Mississippi from seven to four, and in South Carolina from six to four. The subterfuge resorted to in the South to evade the law, he says, marks the beginning of political demoralization and social decay. He then proceeds to a severe arraignment of the South, in many localities of which "the trampling under foot of laws calculated to secure the exercise of political privileges to the negro has continued for so long that it is showing its vicious fruits in the prevalence of mob law." He denounces the frequent resort to lynch law and its unspeakable horrors. "These atrocious," he says, "bespeak a deplorable condition of political morals. Their frequent occurrence is the legitimate result of a generation of disregard of election laws." The solution of the problem this condition presents, Mr. Crumpacker says, is one of the burning questions of the hour. It is above partisanship, it involves the very life of the government. He says in conclusion: "The measure I propose carries no resentment toward any State, North or South. It is not designed for punishment, but simply aims to place representation in the House upon its constitutional basis, and no State can justly complain if it be accorded its full rights. No compromise can be made with wrong."

### MR. BRYAN DECLINES.

### WILL NOT COMMENT ON CLEVELAND'S STATEMENT.

(By Telegraph to Virginian-Pilot.)  
Atlanta, Ga., Dec. 20.—Hon. W. J. Bryan, in a telegram today to the Atlanta Journal, declines to express himself upon Mr. Cleveland's statement which appeared this morning in newspapers receding the dispatches of the Associated Press. Mr. Bryan says: "Your inquiry received. Until Mr. Cleveland sets forth definitely what he considers 'Democratic principles' there is no necessity for comment. The rank and file of the party expressed themselves in 1893 and in 1899, and I have no doubt they will continue to express themselves on the issues as they arise." (Signed) "W. J. BRYAN."

## INVASION OF CAPE COLONY SPREADING.

Heavy Cannonading Heard Wednesday North of Krugersdorp.

### REPORT OF LORD KITCHENER.

He Says That Two Bands of Boers Have Crossed the Orange River and That a Body of Men He Sent Out Are Getting Around Them—He Hopes Invaders Will Soon Be Driven North Again—People at Cape Town Are Much Disturbed.

(By Telegraph to Virginian-Pilot.)  
London, Dec. 20.—A special from Johannesburg, dated December 19th, says that heavy cannonading was heard the morning of that day north of Krugersdorp.

### LORD KITCHENER'S REPORT.

The following dispatch has been received from General Kitchener, dated Pretoria, Wednesday, December 19: "A party of Boers, estimated at from 500 to 800, has crossed the Orange river at Rhenoster Hoek.

"A second band is reported to have crossed near Sand Drift.

"They have been followed. I have sent a considerable body of mounted men, who are getting around them.

"The Boers from Rhenoster Hoek are being followed closely from Venterstad, which they left at 3 o'clock yesterday afternoon, going in the direction of Steynsburg.

"The important points on the railway and the neighborhood are well guarded. I hope the band will soon be driven north again."

### THE INVASION SPREADING.

Cape Town, Dec. 20.—The invasion of Cape Colony is spreading. It is reported that the Boers have occupied Colesburg, south of Philippolis, and near the Orange river colony frontier. The people here are much disturbed. A mixed force of 1,000 men was dispatched north yesterday evening.

### THE SITUATION SERIOUS.

Cape Town, Dec. 20.—The situation in the northern districts of Cape Colony is more serious. Fully two thousand Boers have invaded that section. Grave fears are entertained that Dutch sympathizers will join the rebellion and that this will spread.

## HAY-PAUNCEFOTE TREATY RATIFIED.

United States Senate Approves By Vote of 55 to 18.

### THE TEXT OF THE TREATY.

All the Amendments Except Those Offered By Senator Foraker and Reported By the Committee on Foreign Relations Voted Down By Majorities Averaging About 19—The Text of the Treaty as Amended—Course That Will Be Pursued By the State Department.

(By Telegraph to Virginian-Pilot.)  
Washington, Dec. 20.—The Senate today consumed an hour and ten minutes this afternoon in amending and ratifying as amended the Hay-Pauncefote treaty for the modification of the Clayton-Bulwer convention of 1850.

There were six roll calls and several viva voce votes.

### AMENDMENTS VOTED DOWN.

All the amendments, except those offered by Senator Foraker and reported by the committee on foreign relations were voted down by majorities averaging about 19. The ratification resolution was adopted by a vote of 55 to 18.

The Senate was in executive session for about an hour before the time for voting arrived listening to speeches by Senators Thurston, Gallinger, Wolcott and Bard explanatory of their attitude.

### ELKINS' AMENDMENT LOST.

The foreign relations committee amendments were read first and were accepted without division. The first roll call was upon Senator Elkins' amendment, declaring that "nothing contained in this treaty shall be construed to prevent the United States from acquiring at any time sufficient territory and sovereignty over the same upon which to build, manage, operate, defend, fortify, protect and control said canal, or for any other purposes as the United States may deem best in its own interests." It was lost by a vote of 25 to 45.

### AMENDMENTS WITHDRAWN.

Senator Foraker withdrew his amendments because they were the

Clayton-Bulwer treaty, to the construction of such canal under the auspices of the Government of the United States, without impairing the 'general principle' of neutralization established in Article VII. of the convention." Its provisions follow:

### ARTICLE I.

It is agreed that the canal may be constructed under the auspices of the Government of the United States, either directly at its own cost, or by gift or loan of money to individuals or corporations, or through subscription to or purchase of stock or shares, and that, subject to the provisions of the present convention, the said government shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal.

### ARTICLE II.

The high contracting parties, desiring to preserve and maintain the 'general principle' of neutralization established in Article VIII. of the Clayton-Bulwer convention, which convention is hereby superseded, adopt, as the basis of such neutralization, the following rules, substantially as embodied in the convention between Great Britain and certain other powers, signed at Constantinople October 29, 1858, for the free navigation of the Suez Maritime canal, that is to say:

1. The canal shall be free and open, in time of war as in time of peace, to the vessels of commerce and of war of all nations, on terms of entire equality, so that there shall be no discrimination against any nation or its citizens or subjects in respect of the conditions or charges of traffic, or otherwise.

2. The canal shall never be blockaded, nor shall any right of war be exercised nor any act of hostility be committed within it.

3. Vessels of war of a belligerent shall not revictual nor take any stores in the canal except so far as may be strictly necessary, and the transit of such vessels through the canal shall be effected with the least possible delay, in accordance with the regulations in force, and with only such permission as may result from necessity of the service.

Prizes shall be in all respects subject to the same rules as vessels of war of the belligerents.

4. No belligerent shall embark or disembark troops, munitions of war or warlike materials in the canal except in case of accidental hindrance of the transit, and in such case the transit shall be resumed with all possible despatch.

5. The provisions of this article shall apply to waters adjacent to the canal, within three marine miles of either end. Vessels of war of a belligerent shall not remain in such waters longer than twenty-four hours at any time except in case of distress, and in such case shall depart as soon as possible, but a vessel of war of one belligerent shall not depart within twenty-four hours from the departure of a vessel of war of the other belligerent.

It is agreed, however, that none of the immediately foregoing conditions and stipulations in sections numbered 1, 2, 3, 4 and 5 of this article shall apply to measures which the United States may find it necessary to take for securing by its own forces the defense of the United States and the maintenance of public order.

6. The plant, establishments, buildings and all works necessary to the construction, maintenance and operation of the canal shall be deemed to be part thereof, for the purposes of the convention, and in time of war, as in time of peace, shall enjoy complete immunity from attack or injury by belligerents and from acts calculated to impair their usefulness as part of the canal.

7. No fortifications shall be erected commanding the canal or the waters adjacent. The United States, however, shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

### ARTICLE III.

The present convention shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty; and the ratification shall be exchanged at Washington or at London within six months from the date hereof, or earlier if possible.

### JOHN HAY, PAUNCEFOTE.

### WHAT WILL BE DONE NOW?

Washington, Dec. 20.—December 20.—Inquiry at the State Department as to the future of the Hay-Pauncefote treaty, just ratified with amendments by the Senate, develops the fact that, contrary to the common understanding, the document does not need to be returned, at this stage, to the British government, even if the President is of a mind to go on with the negotiations. Secretary Hay will wait an indication of the President's wishes in that matter and if the latter, as has been already indicated by official statements, concludes to give the British government an opportunity to pass upon the amended treaty, then the State Department will forward to that government, not the treaty itself, but the terms of the amendments. In diplomatic parlance, the British government will be "notified" of the amendments. It must then, according to the statement of the officials of the State Department, be allowed a reasonable time in which to accept or reject them. As to what would constitute a "reasonable" time, no direct expression was to be had, but attention was directed to the fact that the United States government had had the treaty under consideration for a year and the amendments made today were beyond dispute, vital.

### Another Cycle Contest.

(By Telegraph to Virginian-Pilot.)  
New York, Dec. 20.—Before a crowd of 5,000 persons at Madison Square Garden tonight Frank L. Kramer, of East Orange, N. J., formerly champion of America, won the twenty-five mile professional bicycle race by a wheel's length from Bob Walthour, of Atlanta, Ga., who, in turn, finished a wheel's length in front of Tom Cooper. Walthour captured all but one of the extra prizes.

In a mile exhibition race, being motor race, Harry Elkes, of Glen Falls, broke the world's indoor record, covering the distance in 1:36 1-5.

## CLOSING ARGUMENT IN SUPREME COURT.

Senior Counsel For Plaintiff in Porto Rico-Philippine Case.

### JOHN MARSHALL'S DECISION.

The Remarkable Conduct of Attorney-General of United States—The Bearing of a Decision of Justice Marshall On the Present Condition Summed Up—The Contention That the Philippines Are Not Part of the United States—Power Granted By the Constitution.

(By Telegraph to Virginian-Pilot.)  
Washington, Dec. 20.—The closing argument in the Philippines-Porto Rico cases was made in the United States Supreme Court to-day and the cases were submitted for the final adjudication of the court. The argument was made by the senior counsel in the Philippine case, Mr. Charles H. Aldrich, of Chicago, former Solicitor General. He said it was remarkable that the Attorney General of the United States, over one hundred years after the great struggle which founded the American government, should come into this court and assert a taxing power more extreme than has been asserted by the most ardent defenders of England's taxing power over the colonies.

**JUSTICE MARSHALL'S DECISION.**  
Mr. Aldrich spoke of the decision of Justice Marshall in Loughborough vs. Blake as of decisive importance, and he summed up the decision as bearing on the recent condition as follows:

"That the power to tax, levy duties, etc., extends to the entire United States. That the term 'United States' embraces our great republic, which is composed of States and Territories."

"That it is not necessary on the principles of our constitution that uniformity in the imposition of imposts, duties and excises should be observed in the one than in the other, and it follows from the above that the rights and obligations of the territory thus a part of the United States and the inhabitants thereof are measured and tested by the constitution."

### A CONTENTION ANSWERED.

As to the contention that the Philippines were not a part of the United States Mr. Aldrich said:

"If the islands ceded by Spain are foreign then our country would have as its commercial representatives therein consuls, who would perform the requisite official acts prescribed by our customs laws regarding shipments of merchandise from any of these islands to any part of the United States. If the Philippines are not American then they must be still Spanish, for it is not pretended that any other nation, foreign to the United States, has acquired any sovereignty over them, nor is it pretended that the Philippine Islands, in the eye of international law, occupy the status of an independent nation."

### THE CONSTITUTION.

The Attorney-General's interpretation of the word 'sovereignty.' Mr. Aldrich said, was that this government has a right to do what any other nation does. This word had become most popular since we entered upon a colonial policy. But Mr. Aldrich declared that the sovereignty of the United States was one exercised under the constitution, and that if we are in the Philippines or Porto Rico it is because of the powers given by the constitution.

Justice Gray asked if counsel held that the Louisiana acquisition was unconstitutional.

Mr. Aldrich argued that he did not so hold, but Mr. Jefferson did, and the arguments of the day showed how political influences affected final results.

### CONCLUSION.

Mr. Aldrich concluded with a peroration, in which he contended that the exercises of an arbitrary power, in the very government established as a result of resistance to such power, was contrary to our traditions, liberty and constitution. The court allowed ten days for the filing of a further brief.

### RIVERS AND HARBORS.

### THE BILL PASSED DOWN—WHAT NORFOLK GETS.

(By Telegraph to Virginian-Pilot.)

Washington, Dec. 20.—The House committee on rivers and harbors today completed their bill. The total appropriation carried by it yesterday, including continuing contracts, amounted to about \$50,000,000. A sub-committee pared the bill down last night to about \$20,000,000. Norfolk, Va., receives \$195,000 and Newport News \$225,000. The big project for Cleveland, O., the home of Chairman Burton, which was in the bill former for \$1,000,000, was reduced to about \$3,000,000. The project for the southern pass at the mouth of the Mississippi was reduced \$3,000,000. The amount for the Delaware river was cut about half a million. The Spring Channel project for Baltimore, Md., is provided for in the bill. Galveston will receive \$1,000,000 for the restoration of its jetties.

### OTHER TELEGRAPH PAGE 6

### CLASSIFICATION OF NEWS.

BY DEPARTMENTS.

Telegraph News—Pages 1, 6, 8.  
Local News—Pages 2, 3, 5, 6.  
Editorial—Page 4.  
Virginia News—Page 8.  
North Carolina News—Page 7.  
Portsmouth News—Pages 10, 11.  
Berkley News—Page 11.  
Shipping News—Page 9.  
Miscellaneous—Page 12.  
Real Estate—Page 12.



SUPREME COURT AND THE CONSTITUTIONAL STATUS OF PORTO RICO AND THE PHILIPPINES.

Wide interest is being manifested in the arguments before the supreme court in connection with the cases testing the constitutional status of Porto Rico and the Philippines. Before the cases are rested some of the most eminent legal counsel in the country will appear before the justices.

### A SHARP BRUSH.

### IN WHICH THE FILIPINOS WERE REPULSED.

(By Telegraph to Virginian-Pilot.)  
Washington, D. C., Dec. 20.—The following cablegram from Admiral Remey, giving an account of a sharp brush with Filipino insurgents, was received today at the Navy Department:

"Cavite, Dec. 20, 1900.

"Bureau of Navigation, Washington: 'Fifteen troopers, Fourth Cavalry, and five of the crew were landed from the gunboat Bazco yesterday at Limbanes, Cavite province. Surprised eighty insurgents, sharp skirmish half hour; thirteen insurgents killed; twelve rifles captured; large amount stores destroyed; one soldier wounded. 'REMEY.'"

### A TREASURY RAID.

### ROBBERS DISAPPOINTED IN NEBRASKA STATE HOUSE.

(By Telegraph to Virginian-Pilot.)

Lincoln, Neb., Dec. 20.—An attempt was made to rob the State treasury early today. Two men—possibly three—apparently had gained entrance to the capitol building through an outside window.

They were, according to Night Watchman Good, discovered by him in the treasurer's office and interrupted in their work at 3 o'clock. Good said two shots were fired at him by the robbers, one passing through the lapel of his coat. He fired twice in return, apparently without effect, and the robbers escaped without having opened the treasury vault or securing anything of value.

### Although there is no fear as to the ultimate result the lack of a sufficient number of mounted troops is felt by the British.

The enormous waste of horses in South Africa was never fully appreciated until now.

### GENERAL DEWET'S FORCE.

Bloemfontein, Tuesday, Dec. 13.—General Dewet had 6,000 men and 18,000 horses when he captured Dewetsdorp, according to a gentleman who was imprisoned there. The Boer commander then declared that he was not going to surrender without a free pardon for all his men, including many Cape Dutch.

The force of 6,000 is now divided into three sections.

### SITUATION IN CHINA.

### RAPIDLY GROWING WORSE IN THE PROVINCES.

(By Telegraph to Virginian-Pilot.)

London, Dec. 20.—A dispatch to the Reuter Telegram Company from Peking, dated Wednesday, December 19, says the situation throughout the provinces is rapidly growing worse and is causing grave anxiety. The dispatch adds that unless a definite system of government is speedily installed a recrudescence of the anti-foreign outbreaks is confidently predicted. The pressure of winter begins to be felt by the people, who are also suffering on account of the blackmail levied by the native employers of the allies, for which the foreigners are blamed. A number of desperadoes, imprisoned at the San Chow Fu by General Mei, whom the Germans released, are now hurrying to the Chi Li Shang Tung border burning houses, murdering and pillaging.

### same as those reported by the committee on foreign relations: Senator Penrose his, because it was practically identical with Senator Elkins', and Senator Beveridge his because it was covered by the second of the committee amendments. The other amendments were voted down by decisive majorities.

The vote on Senator Tillman's amendment authorizing the defense of the canal and the maintenance of public order by the United States was lost—27 yeas to 43 nays.

### THE TREATY RATIFIED.

The treaty was then read. The vote upon the treaty itself as amended resulted as follows:

Yeas—Aldrich, Allison, Bacon, Beveridge, Burrows, Carter, Chandler, Clegg, Cullom, Deboe, Dillingham, Elkins, Fairbanks, Foster, Frye, Gallinger, Hale, Hanna, Hansbrough, Harris, Hawley, Hoar, Jones (Nebraska), Keam, Kenny, Lindsay, Lodge, McBride, McComas, McCumber, McEnery, McLaughlin, McMillan, Mallory, Morgan, Nelson, Penrose, Perkins, Pettus, Platt (New York), Bricehard, Proctor, Quarles, Scott, Shoop, Spooner, Stewart, Sullivan, Tallmager, Thurston, Turner, Warren, Wetmore, Wolcott—55.

Nays—Allen, Bard, Bate, Berry, Butler, Cockrell, Culberson, Daniel, Heitfeld, Martin, Mason, Money, Pettigrew, Teller, Tillman, Turney, Vest, Wellington—18.

### TEXT OF THE TREATY.

The text of the treaty as amended states its object as "to facilitate the construction of a ship canal to connect the Atlantic and Pacific oceans, and to that end to remove any objection which may arise out of the convention of April 19, 1850, commonly called the